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*Caroline Benson*  
Caroline Benson

Attorney Docket No.  
D/99612Q5

3621  
10/2/03  
RH  
#14

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of Andrew A. Berlin et al.

Group Art Unit: 3621

Application No.: 09/404,729

Examiner: P. Elisca

Filed: 09/24/1999

For: MARKET BASED CONTROL OF STRUCTURAL MOVEMENT

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Pursuant to 37 C.F.R. 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) and information listed on the attached PTO-1449 Form. One legible copy of each is attached to the PTO-1449 Form. It is respectfully requested that the references and information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- ☒ 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date of the above application (which is not a CPA), **OR** (b) before the mailing date of a first Office Action on the merits. *No certification or fee is required.*
- ☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date **AND** after the date of the first Office Action on the merits, but before the mailing date of a Final Rejection, Notice of Allowance, or other action that closes prosecution. Please debit Xerox Corporation Deposit Account 24-0025 in the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). *(A copy of this paper is attached.)*
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance; **AND**
- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1); **(OR)**

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- ☐ 5. Per 37 C.F.R. 1.98(a)(3), a concise explanation of the relevance of each of any submitted item that is NOT in the English language is either enclosed herewith, or incorporated in the application specification.
- ☐ 6. A copy of an English language version of an above-referenced counterpart foreign application search report is attached.
- ☐ 7. Copies of some or all of the subject references were cited by, or submitted to the Office in related parent Application No. \_\_\_\_\_, filed \_\_\_\_\_, which is relied upon under 35 U.S.C. §120. Thus, copies of these references are not attached (except for copies of cited pending applications). 37 C.F.R. §1.98(d).
- ☐ 8. A copy of each copending application recited in the parent application of paragraph 7 above, and/or a copy of other related copending applications, is enclosed.



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Date 09/02/2003

Form PTO-1449

US Dept. of Commerce  
PATENT & TRADEMARK OFFICEATTY DOCKET NO.  
D/99612Q5APPLICATION NO.  
09/404,729INFORMATION DISCLOSURE STATEMENT  
(Use several sheets if necessary)

APPLICANT Berlin et al.

FILING DATE 09/24/1999

GROUP ART UNIT 3621

SEP 05 2003

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	PUBLICATION DATE	NAME OF PATENTEE	CLASS	SUB CLASS

## FOREIGN PATENT DOCUMENTS

	COUNTRY	DOCUMENT NUMBER	PUBLICATION DATE	NAME OF PATENTEE OR APPLICANT	TRANSLATION Y/N

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## OTHER DOCUMENTS (Including Author (in CAPS), Title, Publication Date, Pages, etc.)

	GUENTHER et al., "Controls for Unstable Structures", Proc. SPIE Vol. 3039, p. 754-763, Smart Structures and Materials 1997: Mathematics and Control in Smart Structures
EXAMINER	DATE CONSIDERED
Examiner: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	